

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA
DURHAM DIVISION**

IN RE:)	
)	
PROTECH METALS, LLC)	CHAPTER 11
)	CASE NO 23-80078
Debtor(s).)	
)	

MOTION TO CONVERT

NOW COMES, Protech Metals, LLC (the “Debtors”), by and through counsel, pursuant to 11 U.S.C. § 1112(a), respectfully requesting that this case be converted to a Chapter 7, and in support thereof, the debtor shows the Court the following:

1. On April 27, 2023 (the “Petition Date”), the Debtor filed a voluntary petition for relief under Title 11 Chapter 11 Subchapter V of the Bankruptcy Code. Daniel C. Bruton is the duly appointed Subchapter V Trustee.
2. Since the filing, the Debtor has operated as a Debtor-In-Possession.
3. This Court has jurisdiction over this case pursuant to 28 U.S.C. §§ 157 and 1334(b). Venue is proper in this District pursuant to 28 U.S.C. § 1409(a).
4. The Debtor is unable to continue operations as a Chapter 11 Debtor, as the Debtor continue to struggle financially to meet its day-to-day financial obligations. Debtor does not believe that it will be feasible to confirm the proposed plan filed with the Court on December 22, 2023.
5. The Debtor ceased operations as of February 2, 2024 and has no further ongoing expenses owed for wages or taxes associated therewith.

6. It is in the best interests of the Debtor and creditors that the case be converted to a Chapter 7.

WHEREFORE, the debtor respectfully request:

1. That the Court enter an Order pursuant to 11 U.S.C. 1112(a) converting the case to a case under Chapter 7 of the United States Bankruptcy Code; and
2. For such other and further relief as the Court deems just and proper.

This the 5th day of February, 2024.

/s/ Erik M. Harvey
Erik M. Harvey, NCSB # 37663
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CERTIFICATE OF SERVICE

The undersigned certifies that a copy of the **MOTION TO CONVERT** was served by electronic means and/or first class mail, postage prepaid, to the parties indicated below at their respective addresses as listed below:

John Paul Hughes Cournoyer, Electronically
Bankruptcy Administrator

Daniel C. Bruton, Electronically
Subchapter V Trustee

Rickey Hall
Protech Metals, LLC
Via - rickey@carolina.net

See attached matrix.

This the 5th day of February, 2024.

/s/ Erik M. Harvey
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